

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

RICHARD BURKHART,

Plaintiff,

vs.

CASCADE COUNTY, CITY OF
GREAT FALLS, STATE OF
MONTANA, and JOHN CAMERON,

Defendants.

and

CASCADE COUNTY; CITY OF
GREAT FALLS,

Third-Party Plaintiffs,

vs.

MICHAEL STALEY,

Third-Party Defendant.

CV-19-27-GF-BMM

ORDER

Defendant State of Montana and Defendant Cascade County filed separate motions to dismiss. (Docs. 36 & 38.) Plaintiff Richard Burkhart (“Burkhart”) opposed the motions. (Doc. 51.) Burkhart also filed a motion to strike Defendants’

third-party complaints. (Doc. 42.) Defendants opposed Burkhart's motion. (Docs. 46, 52, 53.) The Court conducted a hearing on the motions on October 3, 2019. (Doc. 59.)

For the reasons stated in open Court, **IT IS ORDERED** that:

1. Defendant State of Montana's Motion to Dismiss (Doc. 36) is **DENIED**.
2. Defendant Cascade County's Motion to Dismiss (Doc. 38) is **DENIED**.
3. Plaintiff Richard Burkhart's Motion to Strike Defendants' Third-Party Complaints (Doc. 42) is **DENIED**.

DATED this 3rd day of October, 2019.



Brian Morris
United States District Court Judge